

Application No.: 10/014,958

REMARKS

Applicant respectfully requests reconsideration and allowance of claims 1-2 and 5-33 that are pending in the above-identified patent application. Applicant has amended claims 1-2, 5-6, 9-14, 20-21, 26-28, and 33. Applicant has cancelled claims 3-4. No new matter has been added by the claim amendments.

In numbered part 1 of the Office Action, the Examiner objected to claims 1, 9, 21, 26, 27, and 28 as to several informalities. In response, Applicant has amended these claims as suggested by the Examiner or in other ways and Applicant believes that such claims are now in proper form. Accordingly, Applicant respectfully requests that the Examiner withdraw his objection to claims 1, 9, 21, and 26, 27, and 28.

In numbered parts 2 and 3 of the Office Action, the Examiner rejected claims 1-19 and 21-33 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,804,810 ("the Woolley reference"). In view of the amendments hereinabove, Applicant respectfully traverses the Examiner's rejection.

Claim 1 as amended requires, among other things, "using the remote device to compare at least some of the item identifier information in the site signal with user selected item information stored on the remote device; and displaying to a user the identifier and location item information that match the user selected item information based on the comparison."

Claims 10 as amended requires "a processor operable to execute actions under the control of one or more programs, where the actions include: (a) comparing the product information of the wireless signals to the list of products in the memory of the remote device, and (b) displaying to the user a description of any

Application No.: 10/014,958

products and the locations of those products that match the products in the list."

Independent claim 21 requires, among other things, "a portable device including a broadcast receiver, a memory containing a list of products desired by a user, a processor capable of executing actions in response to program instructions, the actions including: receiving the information broadcast by the store transmitter; selecting at least one of the products or classes by comparing the information broadcast by the store transmitter with the list of products stored in the memory; receiving the identity information broadcast by the product transmitter associated with the selected product or class; and based on the strength of the product transmitter signal, providing an indication on the remote device that the device is at a location proximate to the selected product or class."

Applicant respectfully submits that the Woolley reference fails to disclose or suggest the above quoted features of independent claims 1, 10, or 21. The Woolley reference discloses that the system 10 (FIG. 3) is designed for monitoring the location of containers 12 in a warehouse, where each container 12 is equipped with an asset tag 16. (Col. 17, lns. 26-34.) In this context, there is no personal digital assistant. With reference to FIG. 18, when a number of "assets" are to be delivered to certain destinations, such by a shipping company, the driver may possess a monitoring device 15, which includes a personal digital assistant (PDA) 270. The PDA has two software applications, the first being a driver interface for programming tags. Such a program, when executed on the PDA, provides lists for checking off completed stops (i.e., deliveries) that the driver may have completed and records signatures of the recipients. The second software

Application No.: 10/014,958

application monitors incoming messages and routes them to other tags and other devices. (Col. 25, lns. 17-52.)

These passages of the Woolley reference manifest the lack of disclosure as to the claimed method and apparatus of the instant application, specifically the use of the remote device to compare identification and location information regarding items (or products) within a site or store with user selected information concerning such items or products and displaying such information to the user, for example, so that he or she may locate them within the site and purchase them.

In view of the foregoing, Applicant respectfully submits that independent claims 1, 10, and 21 are allowable over the Woolley reference, and respectfully requests that the Examiner withdraw his § 102(b) rejection thereof. Further, claims 2, 5-9, and 14-20 depend from independent claim 1, claims 11-13 depend from independent claim 10, and claims 22-33 depend from independent claim 21, and contain all of the limitations thereof as well as other limitation that are neither disclosed or suggested by the prior art of record. Accordingly, Applicant submits that the subject dependent claims are likewise patentable.

In numbered parts 4 and 5 of the Office Action, the Examiner rejected claim 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,199,753 ("the Tracy reference") in view of the Woolley reference. Applicant respectfully traverses the Examiner's rejection. Claim 20 depends from independent claim 1, which as discussed above is patentable over the Woolley reference. Applicant respectfully submits that the Tracy reference fails to remedy the deficiencies of the Woolley reference respecting claim 1. Accordingly, Applicant submits that claim 20 is patentable over the cited combination of the Tracy and Woolley

Application No.: 10/014,958

references at least because of its dependency on claim 1. Accordingly, Applicant respectfully requests that the Examiner withdraw his § 103(a) rejection of claim 20.

In view of the foregoing, Applicant submits that the instant claims are in condition for allowance. Early and favorable action is earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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Version With Markings to Show Changes Made

IN THE CLAIMS

1. (Amended) ~~A method of broadcasting information regarding the location of a plurality of items at a site comprising:~~

~~broadcasting a site signal within a site representing a plurality of item records associated with a plurality of items within the site~~~~for receipt by a remote device, each said item record comprising an item identifier information and item location information, said item identifier information description describing said items and said item location information describing the location of said items~~~~relative to~~ within the site;

receiving the site signal at a remote device within the site;

using the remote device to compare at least some of the item identifier information in the site signal with user selected item information stored on the remote device; and

displaying to a user the identifier and location item information that match the user selected item information based on the comparison.

2. (Amended) ~~The method of claim 1 wherein the site is a building, the items comprises products within the building, and the site signal is broadcasted from a location within the building.~~

5. (Amended) ~~The method of claim 4-1 wherein the step of broadcasting occurs after the~~ user selected item information is stored in the remote device.

6. (Amended) ~~The method of claim 4-1 further including the step of ordering the displayed item~~ identifier and location

Application No.: 10/014,958

information based on the item location information transmitted with the site signal.

9. (Amended) The method of claim 8 wherein the step of broadcasting comprises broadcasting the signal repetitively regardless of whether a said remote device is present at said site.

10. (Amended) A remote device, ~~for storing information about the location of products at a site, the remote device~~ comprising:

~~a processor under the control of programs,~~

a modem for demodulating receiver operable to demodulate wireless signals containing product information about products within a site items, the information including a descriptions and locations of the products item,

a memory operable to store a list of products desired by a user,

a display, and

a processor operable to execute actions under the control of one or more programs, where the actions include: instructions executable by the processor to (a) determine if items identified by comparing the product information within of the wireless signals to the list of products in the memory of matches information relating to items stored in the remote device, and (b) displaying to the user a description of any products and the locations of those products that match the products of the list the matching items on the display.

11. (Amended) The method of claim 10 wherein the remote device continuously seeks the wireless site signals.

Application No.: 10/014,958

12. (Amended) The method of claim —10 wherein the remote device seeks the wireless signals in response to a user-initiated action.

13. (Amended) The method of claim 10 wherein the ~~instructions include displaying processor is further operable to~~ cause the matched items products to be displayed in accordance with the location of the item matched products.

14. (Amended) ~~The~~A method of ~~locating products comprising~~ claim 1 wherein the site signal includes—

~~obtaining a first broadcasted signal, the first broadcasted signal identifying a plurality of items and including the item identifier information relating to and at least some of the item location of the items within a site information,~~

~~matching at least one item identified in the first broadcasted signal to item information stored on a portable device,~~

~~obtaining and~~ a second broadcasted signal, the second broadcasted signal relating to one or more of the matched items and being broadcast at a point proximate to the location of the matched item, within the site

~~providing an indication on the portable device that the second broadcasted signal has been obtained.~~

20. (Amended) The method of claim 14 further including displaying a notification to the user that the matched item is associated with a coupon stored in the portable device.

21. (Amended) A system, ~~for locating products in a store~~ comprising:

Application No.: 10/014,958

a store transmitter broadcasting ~~the identities of~~ information associated with a plurality of products located within the store, and the information including product identifier information describing the products and product location information relating to the ~~a~~ location of such products within the store,

a plurality of product transmitters each broadcasting the identity information of a product or class or products, ~~the~~ a location of the product transmitter being associated with the location of the product or class of products,

a portable device including a broadcast receiver, ~~instructions and a memory containing a list of products desired by a user, and a~~ processor capable of executing actions in response to program the instructions, the ~~instructions~~ actions including: receiving the ~~identities and locations of the products or classes~~ information broadcast by the store transmitter; selecting at least one of the products or classes by comparing the information broadcast by the store transmitter with the list of products stored in the memory; receiving the identity information broadcast by ~~ef~~ the product transmitter associated with the selected product or class; and based on the strength of the product transmitter signal, providing an indication on the remote device that the device is at a location proximate to selected product or class.

26. (Amended) A ~~The system of claim 21, wherein identifying the location of products comprising:~~

the system further comprises a plurality of local transmitters disposed at locations within the store ~~a site;~~

a plurality of product transmitters, each product transmitter is located near a ~~the~~ product and transmitting information relating to the product and its ~~a~~ location of the product within

Application No.: 10/014,958

the storea site, and each product transmitter determininges its the
location of the product based on a signal from one or more of the a
local transmitters;

the system further comprises a central receiver receiving the
product and location information from the product transmitters; and

the system further comprises a central transmitter
transmitting information relating to the plurality of products and
their locations received by the central receiver.

27. (Amended) The system of claim 26 wherein each product
transmitter determines ~~its the~~ location of the product based on a
signal from a plurality of local transmitters.

28. (Amended) The system of claim 26 wherein each product
transmitter determines ~~its the~~ location of the product based on the
signal strength of a plurality of local transmitters.

33. (Amended) The system of claim 26 wherein the further
including a portable device for receiving is operable to receive
the information from the central transmitter and to displaying at
least one of the products associated with the information.